



Memo

To: Frank Lancaster, Town Administrator

CC: Greg White, Town Attorney

From: Alison Chilcott, Director *AC*
Will Birchfield, Chief Building Official *WB*
Dave Shirk, Senior Planner *DS*

Date: October 1, 2013

RE: Emergency Provisions: Estes Park Floodplain Regulations and
Estes Valley Development Code Regulations within Town Limits

The purpose of this memo is to request emergency action regarding certain provisions of the Estes Park Municipal Code Floodplain Regulations (EPMC 17.28) and Estes Valley Development Code as it applies within Town limits. Community Development staff will coordinate with Larimer County regarding emergency provisions within unincorporated Larimer County.

Natural Disasters and Emergencies

Estes Valley Development Code Section 5.3.D.4 *Natural Disasters and Emergencies* states "temporary uses and structures needed as the result of a natural disaster or other health and safety emergencies are allowed for the duration of the emergency. No temporary use permit or other review shall be required."

Floodplain

Community Development staff requests a temporary suspension for existing permits and for issuance of new floodplain permits and building permits for permanent construction for properties located adjacent to the Black Canyon, Fish Creek, Fall River, and/or the Big Thompson River drainages. This suspension would also apply for properties that are not accessible, or are accessible only by temporary roads that are not designed or built to accommodate heavy equipment.

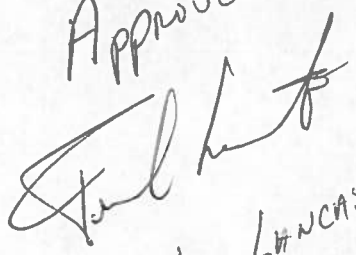
This suspension would not apply to temporary construction of bridges, utilities, bank stabilization and shoring up of buildings intended to prevent further loss of property, or permits that are not affected by the flood event (e.g. appliance or drywall replacement, interior remodels, or properties that were not altered by the flood).

This request is based on several factors, including: (1) We do not know the final location of the stream/river channels or banks; (2) We do not know the final location of the floodplain; (3) We do not know the final base flood elevations; (4) We do not know the status of property lines; and, (5) We want to ensure compliance with FEMA regulations to ensure businesses and residents are eligible to purchase flood insurance.

Temporary Housing. Community Development staff requests a temporary suspension on enforcement of regulations prohibiting:

- (1) Use of accommodations units for long-term residence,
- (2) Use of RVs as accessory dwelling units (ADUs),
- (3) Use of ADUs by non-family members, and
- (4) Number of vehicles on a single-family lot (for those dwellings that have additional persons living in them).

Expiration. These temporary suspensions should expire on November 12, 2013 unless further extension is found necessary. Community Development staff will provide additional information on or before November 1.

Approved

Frank Lancaster
Town Administrator
10/3/13